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**BEFORE THE FOREST PRACTICES APPEALS BOARD  
STATE OF WASHINGTON**

<b>CROWN PACIFIC, LTD.,</b>	)	
	)	<b>FPAB NO. 94-13</b>
<b>Appellant,</b>	)	
	)	
<b>v.</b>	)	<b>DISMISSAL ORDER</b>
	)	
<b>STATE OF WASHINGTON,</b>	)	
<b>DEPARTMENT OF NATURAL</b>	)	
<b>RESOURCES,</b>	)	
	)	
<b>Respondent.</b>	)	

THIS MATTER, having come on regularly before the undersigned Appeals Board upon motion of Respondent, Department of Natural Resources, for an order dismissing the above captioned appeal without prejudice, pursuant to CR 12, and it appearing from the pleadings, and memorandum filed in support of said motion, and the oral argument of counsel, that there is no right of appeal of a classification decision of the DNR prior to approval or denial of the permit, and it further appearing that:

There is a plain, speedy and adequate remedy at law to obtain review from the Washington State Forest Practices Appeals Board of the classification decision. If Crown does not submit an EIS, its application will be disapproved through operation of RCW 76.09.050(1) in sixty days or Crown could ask the DNR to disapprove the application immediately. Crown can then file its appeal of the disapproval of its application pursuant to RCW 76.09.220(8)(a), and may then raise as an issue the alleged misclassification of its application.

1 IT IS HEREBY ORDERED That the above captioned appeal is  
2 dismissed without prejudice.

3 DATED this 14<sup>TH</sup> day of July, 1994.

4  
5 William A. Harrison  
6 THE HONORABLE WILLIAM A. HARRISON  
7 Administrative Appeals Judge

8  
9 FOREST PRACTICES APPEALS BOARD

10 Norman L. Winn  
11 NORMAN L. WINN, Member

12 Martin R. Kaatz  
13 DR. MARTIN R. KAATZ, Member

14 Robert E. Quidbach  
15 ROBERT E. QUOIDBACH, Member  
16

17 Presented by:

18 CHRISTINE O. GREGOIRE  
19 Attorney General

20  
21 Kay M. Brown  
22 KAY M. BROWN  
23 Assistant Attorney General  
24 WSBA No. 14599  
25 Attorneys for Respondent  
26 Dept. of Natural Resources